

**SOUTH DAKOTA DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS**

**Viborg School District  
Continuous Improvement Monitoring Process Report 2004-2005**

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**Date of On Site Visit:** February 2<sup>nd</sup>, 2005

**Date of Report:** February 8th, 2005

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

**Promising Practice** The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.

**Meets Requirements** The district/agency consistently meets this requirement.

**Needs Improvement** The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.

**Out of Compliance** The district/agency consistently does not meet this requirement.

**Not applicable** In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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<b>Principle One - General Supervision</b>
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

**Data Sources used:**

- State data tables
- Surveys (administration, staff, students, parents)
- District Comprehensive plan
- Southeast Area Cooperative annual survey of needs
- DECA website
- Southeast Area Cooperative Director
- State Certificates/Licenses of Personnel
- Viborg Enterprise Newspaper
- Preschool screening data
- Student Plans
- SIMS/DDN Campus
- File Reviews
- Teacher Handbook

**Promising Practice**

The Viborg school district accesses agencies, such as the Southeast Area Cooperative, Head Start/Early Start, Birth to Three Connections, the Center for Disabilities, the School for the Deaf, the School for the Blind and Visually Impaired, Voc-Rehab, and Project Skills, to assist in the identification and programming of students with disabilities within the district.

**Meets Requirements**

The steering committee determined that the Viborg school district has an established and ongoing child find system to locate, identify, and evaluate all children with disabilities, ages birth through 21 years and that the Viborg school district's comprehensive plan addresses procedures for children voluntarily enrolled by parents in private schools. In addition, the steering committee determined that the Viborg school district's comprehensive plan reflects policies consistent with the SEP performance goals and indicators. The participation rate for students with disabilities on district standardized tests has been 100%. The graduation rate for students with and without disabilities is 100%. Furthermore, the steering committee determined that the Viborg school district comprehensive plan addresses procedures for suspension and expulsion of students with and without disabilities. Finally, the steering committee determined that the Viborg staff meets the state certification and licensure requirements for working with children with disabilities. The Viborg school district assisted the paraprofessionals in completing the Para Pro assessment and that the Viborg school district participates in an annual needs assessment survey.

**Needs Improvement**

The steering committee finds that there is a need to develop a formal TAT process with more documentation. It is also recommended that parent contact be an emphasis during the TAT process.

The steering committee has concerns about the training opportunities for paraprofessionals. Paraprofessionals do not participate in staff in-service trainings, nor do they go to outside workshops. In addition, the steering committee sees a need for outlined job descriptions and expectations for paraprofessionals. This would help clarify expectations and responsibilities for all staff. This would also help in identification of training needs for individuals.

**Out of Compliance**

The steering committee finds no evidence of an effective pre-referral process.

**Validation Results****Promising Practices**

No promising practices were validated in this section.

**Meets Requirements**

The review team agrees with all the areas identified by the steering committee as meeting requirements for general supervision. This was determined through file reviews, interviews and observations.

**Needs Improvement**

The review team determined through file reviews and interviews that the Viborg school district needs improvement in the area of an effective pre-referral process. The Viborg school district has implemented changes in their pre-referral process.

**Out of Compliance**

24:05:17:03. Annual report of children served

Based on documentation submitted, the review team identified two (2) students on the district's child count who did not have an IEP in effect on December 1, 2003 and one (1) student who was counted twice on child count.

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<b>Principle 2 – Free Appropriate Public Education</b>
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All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

**Data Sources Used:**

- Surveys (administration, staff, students, parents)
- District Comprehensive Plan
- State Data Tables
- Screening Information
- File Reviews
- SIMS Data
- Student Handbooks
- Teacher Handbooks

- DDN Campus
- Detention Slips

### **Promising Practice**

The Viborg school district offered a summer program for students in grades 1-8 in the areas of reading and math.

The Viborg school district participated in the NCLB reading program.

### **Meets Requirements**

Special Education services are provided to all eligible children birth to 21 years.

Information from teacher and parent surveys indicated concerns about cooperative staff absences (specifically speech). The cooperative has hired a substitute speech therapist to remedy this problem.

The Viborg school district's comprehensive plan addresses procedures for suspension and expulsion of students with and without disabilities.

### **Needs Improvement**

The steering committee recommended that the student handbook be modified to include "study hall & Detention rules."

The steering committee recommended ways to make the special education paperwork more parent friendly. A "welcome" packet for parents that looks less threatening than the "official forms" was developed.

The steering committee recommended a review of the "misconduct rules" that are within the comprehensive plan, especially given the fact that those rules are dated 11/11/91.

### **Not Applicable**

The Viborg school district has had no students with disabilities suspended for more than 10 days or expelled.

### **Validation Results**

#### **Promising Practice**

Through interviews with school personnel the review team was unable to validate the summer reading and NCLB reading programs as promising practices. They did not appear to be ongoing, sustained programs.

#### **Meets Requirements**

The review team agrees with all the areas identified by the steering committee as meeting requirements for a free appropriate public education. This was determined through file reviews, interviews and observations.

### **Needs Improvement**

The review team agrees with the areas identified by the steering committee as needing improvement (updating of the student handbook and comprehensive plan, and making special education forms more “parent friendly”).

### **Out of Compliance**

#### **ARSD 24:05:13:02 FAPE.**

The school district must provide a free and appropriate public education (FAPE) to all eligible children with disabilities. The review team determined through file reviews and interviews that the Viborg school district does not provide a free and appropriate public education to early childhood students who attend the district’s preschool. Parents of students in the district’s early childhood special education program (including two children who were part-time early childhood/part-time early childhood special education & one early childhood student) were charged a fee to attend the district’s preschool.

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## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Data Sources Used:**

- File Reviews
- Parent’s Rights brochure
- Prior Notice Form
- District Comprehensive Plan
- Tests Administered by the district staff
- Surveys (administration, teacher, student, parent)
- State Certification of Personnel
- Child Find
- State Data Tables

### **Meets Requirements**

The steering committee finds that the Viborg school district ensures the evaluation or reevaluation procedures and instruments meet the minimum requirements. The Viborg school district always ensures the proper identification of student with disabilities through the evaluation process. In addition the Viborg school district always ensures that parents are well informed and understand test results.

The Viborg school district always provide appropriate notice and obtain informed consent prior to assessments being administered to a child for an evaluation or reevaluation; and the Viborg

school district ensures that reevaluations are conducted in accordance with all procedural requirements.

### **Needs Improvement**

The steering committee recommends that a TAT process begin as soon as possible. It also finds that on the prior notice all marked areas of assessment were not given in 4 files reviewed. Additionally, the steering committee finds that functional information was not included in the evaluation of 3 files reviewed. Lastly, the steering committee is unsure of the procedural requirements for the reevaluation of speech only students and early childhood special education students.

### **Out of Compliance**

The steering committee finds that parents did not provide input prior to the evaluation beginning in 25 files reviewed. However, parent input was gained during the evaluation.

### **Not Applicable**

The steering committee has concerns about records being forwarded between schools as students move in and out of district. While there is not much that we can do as a receiving school, it is a frustration that the committee wants to document.

The Viborg school district has not had a request for an IEE. The comprehensive plan addresses this procedure and process if it is needed.

### **Validation Results**

#### **Meets Requirements**

The review team agrees with all the areas identified by the steering committee as meeting requirements in the areas of written notice and consent for evaluation. It also agrees that Viborg school district ensures that evaluation or reevaluation procedures and instruments meet the minimum requirements. In addition, Viborg school district ensures the proper identification of students with disabilities through the evaluation process. Finally, the review team has determined through file review, observations, and interviews that Viborg school district ensures that reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility.

The monitoring team, through interviews and file reviews, found that parents did provide input prior to the evaluation; therefore, the team did not validate this area as being out of compliance.

### **Needs Improvement**

Through interviews and file reviews, the monitoring team did agree with the steering committee that the following areas need improvement: that a TAT process begin as soon as possible; that on prior notices all marked areas of assessment need to be given; that functional information was not included in the evaluations at all times; and technical assistance could clarify the procedural requirements for the reevaluation of speech only students and early childhood special education students.

### **Out of Compliance**

Through interviews and file reviews, the monitoring team was unable to validate any areas out of compliance under principle 3.

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## **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principal four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

### **State Data Tables:**

L – Complaints

M – Hearings

### **Suggested District Data Points to Consider:**

1. Teacher file reviews
2. Surveys
3. Comprehensive plan
4. Parental rights document
5. Consent and prior notice forms
6. Needs assessment information
7. Public awareness information
8. Family Education Right and Privacy Act (FERPA) disclosure
9. Review of access logs
10. Personnel training
11. Budget information

### **Data Sources Used:**

- Parent's Rights brochure
- Parent Surveys
- File Reviews
- Prior Notice/Request for Consent Form
- District Comprehensive Plan

- Viborg Enterprise
- FERPA

### **Meets Requirements**

The steering committee finds that the Viborg school district always informs parents of their rights under IDEA; and that parents have been fully informed in their native language of all information relevant to the activity for which consent is sought. The Viborg school district comprehensive plan addresses the process and procedure for the use of surrogate parents if no parent can be identified. The Viborg school district also has policies in place to address the maintenance of all student records. In addition, the Viborg school district always provides parents and individuals age 18+ the opportunity to inspect and review all educational records of students with and without disabilities. In conclusion, the steering committee finds that the Viborg school district has plans and procedures in place for responding to requests for due process, and that the Viborg school district has plans and procedures in place for responding to complaint actions.

### **Needs Improvement**

The area of parent/individual notice of graduation was not addressed at least one year prior to the graduation date in all appropriate files.

The steering committee recommends making a list of possible surrogate parents so the Viborg School District is prepared if the need of a surrogate arises. The local ministerial association may be a place to start.

### **Out of Compliance**

The steering committee finds that the location form was missing from half of the files reviewed.

### **Not Applicable**

The Viborg school district has not had a need for surrogate parents, any complaint issues, and has not had any due process issues.

### **Validation Results**

#### **Meets Requirements**

The monitoring team, through interviews and file reviews, found that parents did provide input prior to the evaluation; therefore, the team did not validate this area as being out of compliance.

Through interviews and file reviews, the monitoring team agrees with the steering committee about areas found to meet the requirements.

Through interviews and file reviews, the monitoring team was unable to validate the steering committee's assertion that the location form was missing in one half of the files reviewed, and that the district was out of compliance. The special education staff has corrected the location form oversight; all files reviewed contained the record of access and location of student information.

#### **Needs Improvement**



Through interviews and file reviews, the monitoring team did agree with the steering committee that the following area needs improvement: developing a list of surrogate parents.

### **Out of Compliance**

Through interviews and file reviews, the monitoring team was unable to validate any areas out of compliance under principle 4.

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## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **State Data Tables:**

K – Early Intervention (Part C) Exit Information

L – Complaints

M – Hearings

N – Monitoring

### **Suggested District Data Points to Consider:**

1. Comprehensive plan
2. Teacher file reviews
3. Student progress data
4. Personnel development information
5. Needs assessment information
6. Personnel training
7. Budget information

### **Data Sources Used:**

- File Reviews
- Prior Notice Forms
- Surveys (administration, teachers, parents, students)
- Parent's Rights brochure

### **Promising Practice**

Prior to holding an IEP meeting, the appropriate teachers and staff are asked to reflect on a student's strengths, needs, and participation within the regular classroom. This information is available for use at meeting and can be used in the student's present levels of performance.

### **Meets Requirements**

The steering committee finds that students age 14 or older either attended their IEP meeting or their life planning outcome preferences were documented. The steering committee also finds

that general educators attended nearly all IEP meetings. An additional finding by the steering committee was that IEPs have annual goals and short terms objectives/benchmarks, which include measurable criteria showing progress, and that special factors are considered in all IEPs.

Another finding by the steering committee was that students with disabilities participate in statewide assessments, and that specific services to be provided are consistently addressed in student IEPs. Additionally, the steering committee finds that the Viborg school district ensures that the IEP contains required content and that 15 of 15 parents agreed that tests have been explained in a way they can understand. Furthermore, the steering committee finds that all prior notices sent by the district contain required content and a parental rights brochure is sent with each prior notice. All students turning 14 years of age or older are invited to their IEP meeting, and the steering committee finds that student planning outcomes for employment and independent living are present in the files reviewed. The steering committee finds that secondary transition plans for students beginning at 16 years old (or younger, if appropriate), documented goals, services, and activities needed by the student in all files reviewed and that a course of study is present in the files reviewed. Lastly, the steering committee finds the beginning date of service documented is as soon as possible after the IEP was developed.

### **Needs Improvement**

The steering committee finds that the notice of intent for graduation was not addressed within the required time frame and that administrators need to attend all IEP meetings. In addition, the steering committee finds that the district needs to ensure that all IEPs are reviewed annually, on or before the date of the previous IEP and that there needs to be a more fluid transition when students move between grades and schools (elementary, middle & high schools).

### **Out of Compliance**

The steering committee finds that student IEP progress was not reported “at least as often as parents are informed of their non-disabled student’s”. Not all student progress was reported at midterms.

Furthermore the steering committee finds that modifications and accommodations were not always appropriately documented and that duration and frequency were not always addressed. Other areas found to be out of compliance included: parent input into the student’s present levels of performance was not present in many files; that transfer of rights upon age 18 was not addressed as soon as required in several files reviewed; and that the district’s prior notice did not specifically state that parents could bring others who have knowledge of their child to a meeting.

### **Not Applicable**

The Viborg school district does not have any students requiring hearing aid maintenance or assistive technology.

### **Validation Results**

#### **Meets Requirements**

Through interviews and file reviews, the monitoring team agrees with the steering committee about areas found to meet requirements.

#### **Needs Improvement**

The monitoring team, through interviews and file reviews, found the following areas need improvement, however, the team did not validate these areas as being out of compliance: student IEP progress not being reported at least as often as parents are informed of their non-disabled student's (With the start of the 2004-2005 school year, student progress has been sent on all files at midterm and quarterly), that modifications and accommodations were not always appropriately documented, that parent input into the student's present levels of performance was not present in many files, that transfer of rights upon age 18 was not addressed as soon as required in several files reviewed, and that parents can bring others who have knowledge of their child to a meeting (This was corrected on 10/4/04 with an updated prior notice form).

### **Out of Compliance**

#### **ARSD 24:05:27:01.01-IEP Team.**

Through interviews and file reviews, the monitoring team agrees with the steering committee that administrators need to attend all IEP meetings. However, since four out of fourteen files reviewed did not have an administrator/designee attending IEP meeting, the review team feels that the severity of the problem precludes this being a needs improvement area. Accordingly, this is an area that is deemed to be out of compliance.

#### **ARSD 24:05:27:12. Graduation Requirements.**

Completion of an approved secondary special education program with regular high school diploma signifies that the student no longer requires special education services. Graduation from high school

With a regular diploma constitutes a change in placement. In two out of two files reviewed, graduation requirements had not been addressed one year prior to graduation.

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions; consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Data Sources Used:**

- State data tables
- Parent, Student, General Educator, Administrator surveys
- File reviews
- Comprehensive plan

### **Promising Practice**

The Viborg school district has a community preschool three days a week. This program has 24 students participating. Preschool children who attend the special education preschool are encouraged to attend the community preschool also. Six students attend both programs.

### **Meets requirements**

The steering committee finds that the Viborg school district always develops an individualized education plan for a student prior to beginning services, and that students with disabilities are educated with non-disabled peers. Furthermore, in all IEPs potential harmful effects were considered when determining placement.

### **Validation Results**

#### **Promising Practices**

No promising practices were validated in this section.

#### **Meets Requirements**

The review team agrees with all the areas identified by the steering committee as meeting requirements for Least Restrictive Environment. This was determined through file reviews, interviews and observations.

### **Out of Compliance**

#### **ARSD 24:05:28:03 Factors in determining placement**

The justification for placement (must include an explanation of the extent, if any to which the child will not participate with non-disabled children in the general classroom and in extracurricular and non-academic activities. In six out of six early childhood files reviewed by the review team, it was determined that justification statements reflected both a non-individualized reason for placement and were identical to all other students in that placement. For example, Early Childhood Special Education Setting: Accepted, as this setting is consistent and structured to meet this student's specific goals and objectives. In addition, the justification statement for placement must reflect an explanation of the need for a more restrictive setting.